

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**In re: Ethicon, Inc. Pelvic Repair System  
Products Liability Litigation**

**MDL No. 2327**

**THIS DOCUMENT RELATES TO ALL CASES**

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**APPLICATION OR NOMINATION OF PAUL T. FARRELL, JR.  
FOR PLAINTIFFS' CO-LIAISON COUNSEL AND  
PLAINTIFFS' STEERING COMMITTEE**

COMES NOW, the undersigned, Paul T. Farrell, Jr., Esq. and respectfully submits this application for appointment as Co-Liaison Counsel and to the Plaintiffs' Steering Committee. I have reviewed the *Plaintiffs' Proposed Counsel Organizational Structure* plan filed with the court for MDLs 2325, 2326 and 2327 on March 19, 2012, and join in the recommendation to the court that the plan be accepted.

**A. Co-Liaison Counsel.** Please consider my application as one of the three Plaintiffs' Co-Liaison Counsel. I am a graduate of the University of Notre Dame (BA 1994) and the West Virginia University College of Law (JD 1997) and a partner in the law firm GREENE, KETCHUM, BAILEY, WALKER, FARRELL & TWEEL in Huntington, West Virginia. I am licensed to practice law in the State of West Virginia (#7443). I am a member in good standing with the West Virginia State Bar Association and the West Virginia Supreme Court. A copy my certificate of good standing and my current curriculum vitae are attached hereto in accordance with the Pre-Trial Order. I am familiar with the duties and responsibilities enumerated in the MCL 4<sup>th</sup> and am honored to receive the nomination by my colleagues. I presently serve in a similar capacity in *In re C.R. Bard, Inc. Pelvic Repair Systems Product Liab. Litig.*, (Civil Action No. 2:10-md-02187).

**B. Plaintiffs' Steering Committee.** I am also applying for a position on the Plaintiffs' Steering Committee.

**(a) Willingness and availability to commit to a time-consuming project.** I acknowledge the PSC responsibilities defined in the PreTrial Order and represent to the Court that I am willing and available to commit to this time consuming project. I currently serve on the Plaintiffs' Steering Committee for *In re Avaulta Pelvic Support System* (Civil Action No. 2:1-md-02187) and have been nominated to serve as Plaintiffs' Co-Liaison Counsel in *Plaintiffs' Proposed Counsel Organizational Structure* submitted in this matter.

**(b) Ability to work cooperatively with others.** I have an established relationship with the leadership submitted in *Plaintiffs' Proposed Counsel Organizational Structure* plan in this matter. I am co-counsel with proposed Plaintiffs' Coordinating Co-Lead Counsel, Henry G. Garrard, III, Esq., and serve as his local counsel for his *pro hac vice* in the State of West Virginia. My law firm has a thirty (30) year relationship working with MOTLEY RICE LLC who is represented in this litigation by Fred Thompson, III, Esq. and is also nominated as Coordinating Co-Lead Counsel.

I currently serve as the President of the West Virginia Association for Justice (2011-2012) and have served on its Executive Committee since 2004. I have served in a leadership capacity for some 500+ trial lawyers on matters of public, professional and legal significance. I have a respectful and professional relationship with the West Virginia Defense Bar and have been engaged in complex litigation adverse to most every large defense firm in West Virginia.

**(c) Professional experience in this type of litigation.** I filed the first and original complaint which spawned the pelvic repair litigation and currently represent some twenty-five (25) plaintiffs who have instituted civil actions. I am an experienced trial lawyer and learned in the factual and legal issues related to the pelvic mesh litigation. I have successfully prosecuted

some fifty (50) medical malpractice cases as well as numerous complex civil litigation cases. I respectfully submit that I have the experience and skill to serve as Plaintiffs' Co-Liaison Counsel and as a member of the Plaintiffs' Steering Committee.

RESPECTFULLY SUBMITTED this the 22<sup>nd</sup> day of March, 2012.

Paul T. Farrell, Jr., Esq., Applicant  
*Greene, Ketchum, Bailey, Walker,  
Farrell & Tweel*

/s/ *Paul T. Farrell, Jr.*

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